

- 1) Q: Will the selected contractor be required to give expert testimony on behalf of MEA or just assist in the preparation of expert testimony?
A: Both.
- 2) Q: Will the testimony provided be about the impact of the EmPOWER Initiative?
A: It may. For this contract, testimony will most likely address policy, strategy, and planning issues which can include EmPOWER Maryland.
- 3) Q: Will the expert testimony be connected to the Evaluation, Measurement & Verification (EM&V) contract?
A: No. At this point, EM&V issues, including potential expert testimony, will be handled by the current EM&V contractor.
- 4) Q: Will the selected contractor be expected to engage in outreach efforts or community town meetings as part of the contract requirements?
A: Not at this time.
- 5) Q: Do you foresee a lot of testimony being required over the next year or during the Legislative Session? How frequently?
A: Probably not very frequently. However, requests will need a quick turn around when expert views are sought.
- 6) Q: Is this an existing contract? If so, who is the incumbent?
A: Yes, this is an existing contract. The incumbent is GDS Associates, Incorporated.
- 7) Q: Can we see a complete list of Task Orders for the present contract?
A: The current available list of task orders is reflected in the attached slide number 10, titled "Task Order Subject Matter".
- 8) Q: Is the incumbent eligible to bid on this RFP?
A: Yes.
- 9) Q: Are the hourly rates for each of the labor categories public information?
A: Only the total composite labor rate will be made available to those vendors who submitted proposals but did not win the contract. The composite labor rate will also be made available to those State agencies which have final approval of the contract such as the Department of Budget and Management (DBM) and the Board of Public Works (BPW).
- 10) Q: Can you provide information on the number of hours/year used in the existing contract?
A: In the last year, approximately 400 hours have been used.
- 11) Q: Re historical perspective (page 6 of handout) are there any current pressing issues in the PSC docket?
A: Currently, among the issues receiving attention from the MEA and the PSC are: the review and support of the EmPOWER Maryland goals in Cases 9153 through 9157; the implementation of the SmartGrid in Case 9208; PC22-the Public Conference on the Reliability Pricing Mode; and Case 9233, the First Energy Merger with Allegheny Energy.

12) Q: Will preference be given to Maryland Offerors?

A: Although Maryland law does not authorize procuring agencies to favor resident Offerors in awarding procurement contracts, many other states do grant their resident business preferences over Maryland contractors. Therefore, as described in COMAR 21.05.01.04, a resident business preference will be given if: a responsible Offeror whose headquarters, principal base of operations, or principal site that will primarily provide the services required under this RFP is in another state submits the most advantageous offer; the other state gives a preference to its residents through law, policy, or practice; and, the preference does not conflict with a Federal law or grant affecting the procurement Contract. The preference given shall be identical to the preference that the other state, through law, policy or practice gives to its residents.

13) Q: Is registration with www.ebidmarketplace.com required to submit a proposal? Or, is it acceptable to register upon notification of award?

A: Although not required at the time of the proposal, an Offeror must be registered on eMM in order to receive a Contract award.

14) Q: If the Offeror quickly identifies a qualified MBE firm (prior to making full outreach efforts), is Offeror still required to perform full outreach efforts? For full outreach efforts, how many MBEs is the Prime Offeror expected to contact?

A: There are no prescribed number of outreach efforts to select an MBE; it is up to the Prime Contractor. However, if a waiver is requested, outreach efforts must be demonstrated.

15) Q: When should Form D-2 be submitted? RFP pages 13, 79 and 83 say to submit after the award. RFP pages 25 and 34 say to submit with Technical Proposal.

A: Form D-2 should be submitted 10 days after notice of Contract award. Only form D-1 is required to be submitted at the time of the proposal.

16) Q: Is the Offeror expected to do anything with the "Preparation for Procurement Review Group" forms?

A: No. That document is for procurement purposes only and is not part of the RFP.

17) Q: Will this Contract be funded with American Recovery and Reinvestment Act (ARRA) monies?

A: In part. ARRA funds will need to be spent by April 2012. After that date, the Contract will be funded by other sources.

18) Q: Will the final vendor selection need to be approved by DOE?

A: DOE will provide concurrence of the contractor recommended by MEA for award.

19) Q: Can you clarify the Task Order process?

A: The Task Order process is intended to be a two-way communication channel between the Contractor and the Program Manager whereby the task/s requirements, cost estimates, and delivery time frame are discussed and agreed upon.

20) Q: Will any of the tasks described in the RFP be graded highest?

A: All tasks will be weighed equally.

21) Q: Will proposal items marked proprietary or confidential be made public under the Freedom of Information Act?

A: As stated in the RFP, Offerors should clearly identify those portions of their proposals they consider confidential, proprietary information, or trade secrets. Offerors should know that, if a third party requests this information, the Procurement Officer is required to make the determination as to whether or not this information can be disclosed.

22) Q: Referring to the "Consensus Report on the Development of 2012-2014 Utility EmPOWER Maryland Plans" dated September 2, 2010, will the contractor selected under this procurement be tasked with providing support to MEA for this process?

A: MEA does not anticipate there will be any requests for assistance in reviewing the EM&V activities described in that Consensus Report. However, MEA may require support in reviewing the EmPOWER Maryland Plans. Analysis of the reports and the programs' effectiveness across the utilities may be needed.

23) Q: For the 10% MBE goal, is that based over the life of the contract, per individual, per project assignment, or per year?

A: 10% of the total contract dollar amount.

24) Q: Is there a limit to the number of MBE firms that can be brought into this work?

A: There is no set limit. The prime contractor can subcontract to one or more MDOT-certified MBE firms. The combined percentage of MBE participation would add up to, or exceed, the 10% participation goal.

25) Q: Do you plan to establish a separate Department of Energy or Maryland Energy Administration Sustainable Energy Utility (SEU) like the District of Columbia?

A: The Maryland Energy Administration is part of the Governor's Office.

26) Q: If you do establish a separate Department of Energy or Maryland Energy Administration Sustainable Energy Utility (SEU) like the District of Columbia, can we participate in that bid process if we participate in this bid process?

A: N/A

27) Q: If you do establish a separate Department of Energy or Maryland Energy Administration Sustainable Energy Utility (SEU) like the District of Columbia, will it be funded by the ratepayers like the District of Columbia and what would be the duration of the contract?

A: N/A

28) Q: Task #2 of the RFP calls for the contractor to provide technical assistance in the coordination, development and enhancement of Technical Energy Programs. Will the contractor be allowed to bid on an RFP to implement those programs?

A: Procurement Provisions-Ethics Law precludes an individual who has assisted in drafting program specifications from submitting a bid for a related RFP.

29) Q: On Attachment F – Price Proposal Form Instructions, can you please clarify the meaning of column D – State Evaluation Factor.

A: It refers to the value the State will allocate to each of the personnel labor categories as described in Section 2.4 of the RFP.